



CITY COUNCIL
ATLANTA, GEORGIA

01-O-0823

A SUBSTITUTE ORDINANCE BY FULL COUNCIL

A SUBSTITUTE ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA BY ADDING A NEW SECTION, SECTION 2-407, TO REQUIRE AUTHORIZATION BY THE CITY COUNCIL PRIOR TO THE CITY ATTORNEY ENGAGING THE SERVICES OF OUTSIDE COUNSEL WHERE THE FEE FOR SERVICES EXCEEDS OR IS EXPECTED TO EXCEED \$50,000.00; AND FOR OTHER PURPOSES

WHEREAS, The City Council contends that under current law the City Attorney does not have the authority to hire, engage or retain outside counsel without authorization by the City Council; and

WHEREAS, the City Attorney contends that under existing law the City Attorney does have the authority to hire, engage or retain outside counsel without the authorization of the City Council; and

WHEREAS, even though the City Council is confident that its legal position on this issue is correct, out of an abundance of caution, the City Council hereby enacts the following Ordinance regarding this issue; and

WHEREAS, the fact that this Ordinance is being adopted is not intended and should not be used as evidence or any indication that the City Council acknowledges that the law existing prior to the adoption of this Ordinance authorized the City Attorney to engage, hire or retain outside counsel without the authorization and approval of the City Council.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: That Chapter 2, Article VI, Division 3 of the Code of Ordinances of the City of Atlanta be amended to add the following:

Section 2-407 Outside Counsel

The City Attorney shall seek authorization from the Council before hiring outside counsel where the fee for services exceeds or is expected to exceed **\$50,000.00 of the previously budgeted appropriations for the Law Department or if the Law Department needs to transfer fund from any other portion of the City budget.**

Section 2: Contracts for outside legal counsel in excess of **\$50,000.00** shall not be artificially divided so as to avoid authorization of the Council.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

OMC – Amendment Incorporated by tcp 6/12/01

A true copy,

Phonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

JUN 04, 2001

JUN 13, 2001

RCS# 2922
6/04/01
4:11 PM

Atlanta City Council

Regular Session

01-O-0823

Require Council Author. to hire outside
counsel when fees exceed \$50,000.00
ADOPT/SUB/AMEND

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Unanimous

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	B Boazman	NV Pitts

01-O-0823

01-0-0823

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER LEE MORRIS

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA BY ADDING A NEW SECTION, SECTION 2-407, TO REQUIRE AUTHORIZATION BY THE CITY COUNCIL PRIOR TO THE CITY ATTORNEY ENGAGING THE SERVICES OF OUTSIDE COUNSEL WHERE THE FEE FOR SERVICES EXCEEDS OR IS EXPECTED TO EXCEED \$20,000.00; AND FOR OTHER PURPOSES.

6/4/01 - Substituted & further Amended by Council (Chairman's action)
Substitute As Amended vote

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

ADOPTED BY
JUN 04 2001

Date Referred 5/21/01

Referred To: Finance / Executive

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee Finance
Date 5-30-01
Chair Lee Morris
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: Amended
Members Lee Morris, Chairman
Clarence Miller
David J. ...
Refer To _____

Committee _____
Date _____
Chair _____
Action: _____
Fav, Adv, Hold (see rev. side) _____
Other: _____
Members _____
Refer To _____

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JUN 4 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert A. Parker

CERTIFIED
JUN 04 2001
Robert A. Parker
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 13 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW